

DRIGGS SUBSTITUTE FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2845

I move the following SUBSTITUTE Floor amendment to the COMMERCE Committee amendment to

HOUSE BILL 2845 (Reference to printed bill)

1 Page 2, after line 44, insert:

2 "D. THIS CHAPTER SHALL NOT APPLY TO ANY OF THE FOLLOWING:

3 1. AN ARBITRATION AGREEMENT BETWEEN AN EMPLOYER AND EMPLOYEE OR THEIR  
4 RESPECTIVE REPRESENTATIVES.

5 2. A CONTRACT REGULATED UNDER TITLE 20.

6 3. A NATIONAL BANKING ASSOCIATION AND ANY AFFILIATE, SUBSIDIARY, OR  
7 HOLDING COMPANY.

8 4. AN ARBITRATION CONDUCTED OR ADMINISTERED BY A SELF-REGULATORY  
9 ORGANIZATION AS DEFINED IN THE SECURITIES EXCHANGE ACT OF 1934 (15 UNITED  
10 STATES CODE SECTION 78c), THE COMMODITY EXCHANGE ACT (7 UNITED STATES CODE  
11 CHAPTER 1) OR REGULATIONS ADOPTED UNDER THOSE ACTS."

12 Page 10, between lines 24 and 25, insert:

13 "A. AN ARBITRATOR MAY AWARD PUNITIVE DAMAGES OR OTHER EXEMPLARY RELIEF  
14 IF SUCH AN AWARD IS AUTHORIZED BY LAW IN A CIVIL ACTION INVOLVING THE SAME  
15 CLAIM AND THE EVIDENCE PRODUCED AT THE HEARING JUSTIFIES THE AWARD UNDER THE  
16 LEGAL STANDARDS OTHERWISE APPLICABLE TO THE CLAIM."

17 Reletter to conform

18 Between lines 36 and 37, insert:

19 "E. IF AN ARBITRATOR AWARDS PUNITIVE DAMAGES OR OTHER EXEMPLARY RELIEF  
20 UNDER SUBSECTION A OF THIS SECTION, THE ARBITRATOR SHALL SPECIFY IN THE AWARD  
21 THE BASIS IN FACT JUSTIFYING AND THE BASIS IN LAW AUTHORIZING THE AWARD AND  
22 STATE SEPARATELY THE AMOUNT OF THE PUNITIVE DAMAGES OR OTHER EXEMPLARY  
23 RELIEF."

24 Amend title to conform

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ADAM DRIGGS